

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID E. KAPLAN, et al.,

Plaintiffs,

- against -

S.A.C. CAPITAL ADVISORS, L.P., et al.,

Defendants.

No. 12 Civ. 9350 (VM)
(KNF)

ECF Case

BIRMINGHAM RETIREMENT AND RELIEF
SYSTEM, et al.,

Plaintiffs,

- against -

S.A.C. CAPITAL ADVISORS, L.P., et al.,

Defendants.

No. 13 Civ. 2459 (VM)
(KNF)

Oral Argument Requested

NOTICE OF MOTION TO DISMISS
THE JOINT CONSOLIDATED AMENDED CLASS ACTION COMPLAINT

PLEASE TAKE NOTICE THAT, upon the pleadings and papers in this matter, and the accompanying Declaration of Jonathan H. Hurwitz together with its exhibits, defendants S.A.C. Capital Advisors, L.P., S.A.C. Capital Advisors, Inc., CR Intrinsic Investors, LLC, CR Intrinsic Investments, LLC, S.A.C. Capital Advisors, LLC, S.A.C. Capital Associates, LLC, S.A.C. International Equities, LLC, S.A.C. Select Fund, LLC and Steven A. Cohen will move this Court, before the Honorable Victor Marrero, at a date and time to be determined by the Court, for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing with prejudice all claims asserted against them in the Joint Consolidated Amended Class Action

Complaint filed March 7, 2014, ECF No. 127. The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: New York, New York
April 28, 2014

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